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Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 34]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 19]
5. Oath or Declaration [Total Pages 7]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information.

Examiner _____

Group / Art Unit. _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label [Redacted] or Correspondence address below

[Redacted] [Redacted]

| | | | |
|-------------------------|-----------|----------|--|
| Name | 05179 | | |
| PATENT TRADEMARK OFFICE | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|--------------|-----------------------------------|--------|
| Name (Print/Type) | Rod D. Baker | Registration No. (Attorney/Agent) | 35,434 |
|-------------------|--------------|-----------------------------------|--------|

| | | | |
|-----------|--------------|--|--|
| Signature | May 31, 2001 | | |
|-----------|--------------|--|--|

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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PTO/SB/17 (08-00)

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FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$391 + 40

Complete if Known

| | |
|----------------------|------------------|
| Application Number | |
| Filing Date | May 31, 2001 |
| First Named Inventor | Thomas P. Griego |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 31248-1001 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 13-4213

Deposit Account Name Peacock, Myers & Adams

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.272. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|------------------------|---------------|-----------------|----------|
| 101 690 | 201 345 | Utility filing fee | | | 355 |
| 106 310 | 206 155 | Design filing fee | | | |
| 107 480 | 207 240 | Plant filing fee | | | |
| 108 690 | 208 345 | Reissue filing fee | | | |
| 114 150 | 214 75 | Provisional filing fee | | | |
| SUBTOTAL (1) (\$) | | 355 | | | |

2. EXTRA CLAIM FEES

| | | Extra Claims | Fee from below | Fee Paid |
|--------------------|----|--------------|----------------|----------|
| Total Claims | 24 | -20** = 4 | x 9 = | 36 |
| Independent Claims | | - 3** = | x = | |
| Multiple Dependent | | | = | |

**or number previously paid, if greater; For Reissues, see below

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description |
|-------------------|--------------|--|---------------|-----------------|
| 103 18 | 203 9 | Claims in excess of 20 | | |
| 102 78 | 202 39 | Independent claims in excess of 3 | | |
| 104 260 | 204 130 | Multiple dependent claim, if not paid | | |
| 109 78 | 209 39 | ** Reissue independent claims over original patent | | |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent | | |
| SUBTOTAL (2) (\$) | | 391 | | |

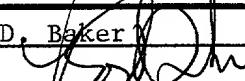
FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid | |
|----------------------------------|--------------|--|---------------|-------------------|----------|----|
| 105 130 | 205 65 | SurchARGE - late filing fee or oath | | | | |
| 127 50 | 227 25 | SurchARGE - late provisional filing fee or cover sheet | | | | |
| 139 130 | 139 130 | Non-English specification | | | | |
| 147 2,520 | 147 2,520 | For filing a request for ex parte reexamination | | | | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | | | | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | | | | |
| 115 110 | 215 55 | Extension for reply within first month | | | | |
| 116 380 | 216 190 | Extension for reply within second month | | | | |
| 117 870 | 217 435 | Extension for reply within third month | | | | |
| 118 1,360 | 218 680 | Extension for reply within fourth month | | | | |
| 128 1,850 | 228 925 | Extension for reply within fifth month | | | | |
| 119 300 | 219 150 | Notice of Appeal | | | | |
| 120 300 | 220 150 | Filing a brief in support of an appeal | | | | |
| 121 260 | 221 130 | Request for oral hearing | | | | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | | | | |
| 140 110 | 240 55 | Petition to revive - unavoidable | | | | |
| 141 1,210 | 241 605 | Petition to revive - unintentional | | | | |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | | | | |
| 143 430 | 243 215 | Design issue fee | | | | |
| 144 580 | 244 290 | Plant issue fee | | | | |
| 122 130 | 122 130 | Petitions to the Commissioner | | | | |
| 123 50 | 123 50 | Petitions related to provisional applications | | | | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | | | | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | | | 40 | |
| 146 690 | 246 345 | Filing a submission after final rejection (37 CFR § 1.129(a)) | | | | |
| 149 690 | 249 345 | For each additional invention to be examined (37 CFR § 1.129(b)) | | | | |
| 179 690 | 279 345 | Request for Continued Examination (RCE) | | | | |
| 169 900 | 169 900 | Request for expedited examination of a design application | | | | |
| Other fee (specify) _____ | | | | | | |
| SUBTOTAL (2) (\$) | | 391 | | | | |
| Reduced by Basic Filing Fee Paid | | | | SUBTOTAL (3) (\$) | | 40 |

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|---|-----------------------------------|--------------|-----------|----------------|
| Name (Print/Type) | Rod D. Baker | Registration No. (Attorney/Agent) | 35,434 | Telephone | (505) 998-1504 |
| Signature |  | Date | May 31, 2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Practitioner's Docket No. 31248-1001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas P. Griego, et al.

Application No.: 0 / UNKNOWN Group No.: UNKNOWN

Filed: May 31, 2001 Examiner: UNKNOWN

For: SUBMICRON AND NANO SIZE PARTICLE ENCAPSULATION BY ELECTROCHEMICAL PROCESS AND APPARATUS

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL84739544US

Date of Deposit May 31, 2001

I hereby state that the following attached paper or fee

Utility Patent Application Transmittal; Fee Transmittal, in duplicate, with \$391 fee check; specification (34 pp); drawings (19 sheets); Combined Declaration and Power of Attorney, fully executed; Application Data Sheet; Assignment Recordation Cover Sheet and Assignment with \$40 fee check; Associate Power of Attorney; Request and Certification under 35 USC 122(b)(2)(B)(i); post card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Diane S. Nelson

Typed or printed name of person mailing paper or fee

Diane S. Nelson

Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

(Express Mail Certificate [B-3])

PTO/SB/35 (11-00)

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|--|
| First Named Inventor | Thomas P. Griego |
| Title | SUBMICRON AND NANO SIZE PARTICLE ENCAPSULATION BY ELECTROCHEMICAL PROCESS AND |
| Atty Docket Number | APPARATUS 31248-1001 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 31, 2001

Date



Signature

Rod D. Baker, Reg. No. 35,434

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.